

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Sterling Equity and Investment LLC, Thomas  
von Behren, Clarice von Behren, and Steven  
Benedict,

Case No. 0:16-cv-02474-SRN-KMM

Plaintiffs,

v.

**ORDER**

Prideco Private Mortgage Loan Fund, LP;  
Patrick Holt; David Baker; United States  
Bankruptcy Court; Dakota County Attorney;  
and Dakota County Sheriff;

Defendants.

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Thomas von Behren and Clarice von Behren, 1412 Valley View Court, West St. Paul, MN  
55118; Steven Benedict, 2901 W. 101st Street, Bloomington, MN 55431; pro se plaintiffs

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The above matter comes before the Court upon the Report and Recommendation of  
United States Magistrate Judge Katherine Menendez dated January 5, 2017. No objections have  
been filed to that Report and Recommendation in the time period permitted. Based on the  
Report and Recommendation of the Magistrate Judge, on all of the files, records, and  
proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED** that this action is **DISMISSED WITHOUT  
PREJUDICE** pursuant to Rule 4(m).

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: January 25, 2017

s/Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States District Judge